UNITED
NATIONS

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20 July 1998

ORIGINAL: ENGLISH

LETTER DATED 20 JULY 1998 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit herewith the text of a statement adopted by the Ministry of Foreign Affairs of Azerbaijan on 18 July 1998 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Eldar KOULIEV
Permanent Representative

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Annex

[Original: Russian]

Statement issued on 18 July 1998 by the Ministry of Foreign Affairs of Azerbaijan

On 14 and 15 July 1998, the Minister of Defence of the Russian Federation, Mr. I. Sergeev, heading a delegation of Russian military leaders, as well as high-ranking representatives of the concern Rossvooruzhenie, made a visit to Armenia.

Over the past few years, the heads of the Ministry of Defence of the Russian Federation have made regular visits to Armenia. Such visits reflect purposeful efforts to strengthen the military alliance between the Russian Federation and Armenia. Azerbaijan notes that this military alliance has continued to be strengthened even after the conclusion of the agreement on a ceasefire between Azerbaijan and Armenia in May 1994.

The current situation of "neither war nor peace" is a source of concern not only to Azerbaijan but also to the entire international community. In such circumstances, Baku followed the visit of the head of a Russian military agency to Armenia with intense concern, especially since, on the eve of the visit, the head of the Chief Administration for International Military Cooperation of the Ministry of Defence of the Russian Federation, Colonel-General L. Ivashov, in an interview assessed the situation in Transcaucasia as "alarming and dangerous".

Information about the visit gave rise to serious concern in Azerbaijan, which took note with particular anxiety of the officially declared outcome of the visit:

- coordination of plans for further cooperation in the military and military-technical sphere, with specific time limits and cost estimates for the implementation of such cooperation;

- improvement of the functioning of the Russian military base in Armenia and its cooperations with the Armenian armed forces, including refinement of unified anti-aircraft defence systems, with plans to equip those systems with S-300 anti-aircraft missile complexes;

- plans to deliver "modern weapons" to Armenia, including the re-equipping of the 102nd Russian military base;

- joint instruction, with the participation of the Minister of Defence, of Russian and Armenian servicemen at the military training ground in the environs of Erevan;

- plans to strengthen the Russian military group in Armenia by reducing Russian forces in Georgia.

The above-mentioned plans to strengthen the Russian-Armenian strategic military alliance through the implementation of the Agreement of 29 August 1997 between the Russian Federation and the Republic of Armenia on Friendship, Cooperation and Mutual Assistance, as well as 18 other bilateral agreements in the military-political and military-technical fields, are cause for Azerbaijan's well-founded concern and pose a serious threat to the peace process and a speedy settlement of the conflict between Armenia and Azerbaijan.

In this connection, it should be recalled that the armed conflict between Armenia and Azerbaijan has remained unsettled and, as a consequence of this lack of a settlement, more than 20 per cent of the territory of Azerbaijan is currently occupied by Armenian armed formations and over 1 million inhabitants of Azerbaijan have become refugees or displaced persons in their own country.

All this is well known in the Russian Federation, which, along with the United States of America and France, is one of the Co-Chairmen of the Minsk Conference of the Organization for Security and Cooperation in Europe (OSCE) and is empowered to settle the conflict between Armenia and Azerbaijan. Moscow is well aware that the individuals guilty of making unlawful deliveries of more than $1 billion in Russian arms to Armenia have not been punished to this day. The facts about such deliveries were made public as a result of statements by a number of officials in the Russian Federation.

Azerbaijan has also noted that the Minister of Defence of the Russian Federation has awarded the medal 'For Strengthening Military Cooperation' to a number of Armenian military leaders who made tough statements concerning a settlement of the conflict between Armenia and Azerbaijan. The decoration of those leaders took place against the background of protests by a number of States, including the Russian Federation, in connection with the aforementioned tough statements, which are not conducive to a settlement.

In the light of the foregoing, the Ministry of Foreign Affairs of Azerbaijan is authorized to express its deep concern at the plans to expand the military alliance between the Russian Federation and Armenia, the implementation of which is not conducive to a settlement of the conflict between Armenia and Azerbaijan or to the achievement of peace and stability in Transcaucasia, and also tarnishes the Russian Federation's image as mediator.

The Ministry also considers that deliveries of arms from the Russian Federation to Armenia - both those that have taken place and those planned - are a gross violation of the OSCE Treaty.

Bearing in mind the foregoing, the Ministry, considering the mutual interests of all States in the region, calls upon the Russian Federation to reconsider its plans to broaden and strengthen its military alliance with Armenia until the conflict between Armenia and Azerbaijan is settled.

UNITED NATIONS **S**

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France, Germany, Italy, Japan, Portugal, Russian Federation, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its relevant resolutions concerning the conflicts in the former Yugoslavia, in particular its resolutions 795 (1992) of 11 December 1992, in which it addressed possible developments which could undermine confidence and stability in the former Yugoslav Republic of Macedonia or threaten its territory, and 1142 (1997) of 4 December 1997,

Recalling also its resolutions 1101 (1997) of 28 March 1997 and 1114 (1997) of 19 June 1997, in which it expressed its concern over the situation in Albania, and its resolution 1160 (1998) of 31 March 1998, in which it decided that all States shall prevent the sale or supply to the Federal Republic of Yugoslavia, including Kosovo, of arms and related matériel of all types and shall prevent arming and training for terrorist activities there,

Reiterating its appreciation for the important role played by the United Nations Preventive Deployment Force (UNPREDEP) in contributing to the maintenance of peace and stability and paying tribute to its personnel in the performance of their mandate,

Commending the role of UNPREDEP in monitoring the border areas and reporting to the Secretary-General on any developments which could pose a threat to the former Yugoslav Republic of Macedonia and by its presence deterring threats and preventing clashes, including monitoring and reporting on illicit arms flows within its area of responsibility,

Reiterating its call on the Governments of the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia to implement in full their agreement of 8 April 1996 (S/1996/291, annex), in particular regarding the demarcation of their mutual border,

Taking note of the letters of 15 May 1998 (S/1998/401) and 9 July 1998 (S/1998/627) from the Minister of Foreign Affairs of the former Yugoslav Republic of Macedonia to the Secretary-General, requesting the extension of the mandate of UNPREDEP and endorsing the option of an increase in its troop strength,

Having considered the reports of the Secretary-General of 1 June 1998 (S/1998/454) and 14 July 1998 (S/1998/644) and the recommendations contained therein,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the former Yugoslav Republic of Macedonia,

1. Decides to authorize an increase in the troop strength of UNPREDEP up to 1,050 and to extend the current mandate of UNPREDEP for a period of six months until 28 February 1999, including to continue by its presence to deter threats and prevent clashes, to monitor the border areas, and to report to the Secretary-General any developments which could pose a threat to the former Yugoslav Republic of Macedonia, including the tasks of monitoring and reporting on illicit arms flows and other activities that are prohibited under resolution 1160 (1998);

2. Expresses its intention to consider further the recommendations of the Secretary-General in his report of 14 July 1998;

3. Decides to remain seized of the matter.

UNITED NATIONS **A S**

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Security Council

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GENERAL ASSEMBLY
Fifty-third session
Item 113 (c) of the provisional agenda*
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Fifty-third year

Letter dated 20 July 1998 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the statement issued on 17 July 1998 by the President of the European Union on the report of the United Nations inquiry into human rights violations in the Democratic Republic of the Congo (the former Zaire).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the fifty-third session of the General Assembly, under item 113 (c) of the provisional agenda, and of the Security Council.

(Signed) Ernst SUCHARIPA
Permanent Representative
of Austria to the United Nations

* A/53/150.

Annex

[Original: English and French]

Statement by the President of the European Union on the report of the United Nations inquiry into human rights violations in the Democratic Republic of the Congo (the former Zaire), issued on 17 July 1998

The European Union is gravely preoccupied with the findings contained in the report of the United Nations Secretary-General's investigative team charged with the inquiry into violations of human rights and humanitarian law in Zaire/the Democratic Republic of the Congo and welcomes the United Nations Security Council Presidential Statement of 13 July. The European Union strongly condemns all massacres and other atrocities committed before, during and after the military campaign which led to the overthrow of the former Zairian regime.

The European Union is concerned about the difficulties that the investigative team encountered in carrying out its task and supports the recommendation that further investigation of alleged atrocities should be carried out. Recognizing that the Governments of the Democratic Republic of the Congo and Rwanda stressed in their reactions the incomplete and inconclusive nature of the report, the European Union urges both Governments to make a clear commitment to allow an independent and thorough inquiry without further delay. The European Union is looking forward to such a commitment and will follow closely its implementation.

The European Union welcomes the United Nations Secretary-General's decision to convey the report to the members of the international Panel of Eminent Personalities to investigate the 1994 genocide and surrounding events, established by the Organization of African Unity. The European Union looks forward to any recommendations of this Panel regarding the completion of the investigation into human rights violations in the region.

The European Union stresses the importance of putting an end to impunity if reconciliation and lasting peace is to be achieved in the Great Lakes region. Investigating all allegations of human rights violations and bringing those responsible to justice are indispensable parts of these efforts.

Without prejudice to the need for the completion of an independent inquiry, the European Union urges the Governments of the Democratic Republic of the Congo and Rwanda to investigate within the framework of their own judicial systems the allegations contained in the report of the United Nations Secretary-General's investigative team, and to bring to justice those responsible for crimes against humanity and other violations of human rights and humanitarian law. In this respect, the European Union welcomes the commitment of the Government of the Democratic Republic of the Congo to carry out its own inquiry. The European Union is ready to provide technical assistance to support this initiative.

The Central and Eastern European countries associated with the European Union, Cyprus and the countries of the European Free Trade Association, members of the European Economic Area align themselves with this declaration.

UNITED
NATIONS

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GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 15 July 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to our letter dated 15 July 1998 (A/52/964-S/1998/651), I have the honour to draw your attention to new violations of the national airspace of the Republic of Cyprus and of the flight information region of Nicosia by military aircraft of the Turkish Air Force, recorded from 17 to 20 July 1998.

On 17 and 18 July, 16 Turkish military aircraft (2 F-16, 10 NF-5, 1 CN-235, 2 C-130 and 1 C-160) entered the northern Nicosia flight information region in violation of international air traffic regulations.

The 10 NF-5 violated the national airspace of the Republic of Cyprus, east of Kyrenia and landed at the illegal airport of Lefkoniko. The two F-16 after violating the national airspace of the Republic returned to the flight information region of Ankara. The CN-235, C-130s and C-160 violated the national airspace of the Republic of Cyprus, landing at the illegal airports of Tymbou and Lefkoniko, and returned soon afterwards to the Ankara flight information region.

Furthermore, on 19 and 20 July, nine Turkish military aircraft (6 F-16, 1 VIP plane transporting the Turkish Prime Minister, 1 CN-235 and 1 C-160) entered the Nicosia flight information region in violation of international air traffic regulations.

Four F-16s returned to the Ankara flight information region on 19 July 1998, and the two remaining F-16s returned the following day. After violating the airspace of the Republic of Cyprus, the CN-235 and the C-160 landed at the illegal airport of Tymbou on 19 July 1998, and the VIP plane on 20 July 1998.

As stated above, such intrusions into the Nicosia flight information region and the national airspace of the Republic of Cyprus are in violation of international air traffic rules. At the same time, they are in contravention of the provisions of the Security Council resolutions on Cyprus, which state that such overflights increase political tension on the island and undermine efforts towards achieving a final settlement.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest against these new provocative acts by Turkey, a Member State of the United Nations, against the sovereignty and territorial integrity of the Republic of Cyprus. These acts are in complete disregard of international law, the Charter of the United Nations and the relevant decisions of the Organization on the question of Cyprus.

I should be grateful if you would have the present letter circulated as a document of the fifty-second session of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Agis LOIZOU
Chargé d'affaires a.i.

UNITED NATIONS

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GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 19 July 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to a number of illegal actions of Turkey and the Turkish-Cypriot leadership on the occasion of the 'celebrations' of the twenty-fourth Anniversary of the Turkish invasion of Cyprus.

On 18 July 1998, Turkey sent five warships, including two submarines, two frigates and a gunboat, which arrived in the occupied port of Kyrenia, as well as seven military aircraft (NF-5), which landed at the occupied airfield of Lefkoniko.

The above-mentioned vessels and military aircraft are scheduled to participate in the so-called 'ceremonies' of 20 July 1998, marking the Turkish invasion and occupation of the northern part of the island.

Moreover, Turkish Prime Minister Mesut Yilmaz is due to attend ceremonies in the occupied area of the Republic of Cyprus on the above-mentioned date.

These provocative actions by Turkey are in contravention of the provisions of the Charter of the United Nations and the relevant United Nations resolutions on Cyprus, mainly resolutions 541 (1983) and 550 (1984). By these resolutions, the Security Council deplored and condemned the secessionist entity in the occupied area of the Republic of Cyprus, declaring it legally invalid, and called upon all States to respect the sovereignty, independence and territorial integrity of the Republic of Cyprus and not to facilitate or in any other way assist the said secessionist entity. Furthermore, the very recent Security Council resolution 1179 (1998) called for refraining from any action which might prejudice that sovereignty, independence and territorial integrity.

I wish to express my Government's strongest protest against these illegal actions perpetuated by Turkey in Cyprus. After 24 years of occupation and mass violations of the human rights of the people of Cyprus, one third of the island's population is still being prevented by the Turkish occupation forces from returning to their homes in the occupied northern part of the island and is subject to the continuous provocation of the Turkish side.

I should be grateful if you would have the present letter circulated as a document of the fifty-second session of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Agis LOIZOU
Chargé d'affaires a.i.